

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:20-cv-00220-MR

RANDY W. BARKLEY, Individually)
and as the Executor of the Estate of)
Rita W. Barkley, Deceased,)
Plaintiff,)
vs.) O R D E R
4520 CORP., INC., Individually and)
as Successor-in-Interest to)
Benjamin F. Shaw Company, et al.,)
Defendants.)

THIS MATTER is before the Court on the parties' Joint Motion to Dismiss with Prejudice as to Defendant Aurora Pump Company. [Doc. 343].

The Plaintiff named Aurora Pump Company as a defendant when he filed the original Complaint. [Doc. 1]. On May 7, 2021, the Plaintiff filed an Amended Complaint which did not name Aurora Pump Company as a defendant. [Doc. 185]. Thus, Aurora Pump Company was terminated as a defendant in this case, albeit without prejudice. The Plaintiff now moves to dismiss his claims against this Defendant with prejudice. For cause shown, the motion is granted.

IT IS, THEREFORE, ORDERED that the parties' Joint Motion to Dismiss [Doc. 343] is **GRANTED**, and all the Plaintiff's claims against the Defendant Aurora Pump Company are hereby **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

Signed: October 25, 2021



Martin Reidinger
Chief United States District Judge

